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subjected only to the necessities of war, while the character of the law of prize is plainly indicated by the fact that most powers assign prize money in whole or in part to the crew of the capturing vessel; and argues that as war has come to be recognized as creating "legal relations" between states and not between individuals, it should follow that on sea as on land the property rights of an enemy's subject should be violated only in case of military necessity. To the fact that the law of capture at sea really applies to enemies' commerce as distinguished from mere property, Dr. Wehberg replies that while the enemy's merchant marine may be crippled its commerce may be preserved by the use of neutral shipping, and examines the experience of a long series of wars to demonstrate that the exercise of this right of capture has never been decisive of any war, and is not necessarily indicative of the result.

Mr. Robertson in the introduction joins with great emphasis in Dr. Wehberg's position that England, which has been the leading supporter of the law of prize, is, because of its great shipping interests, the most interested in its abolition. Mr. Robertson also feels that the step he advocates would check the tendency to excessive armaments and would tend to prevent warfare. Indeed, he advocates the abolition of the law of prize as an agreement to be made in connection with an agreement limiting armaments.

Though we may not feel as strongly as do Dr. Wehberg and Mr. Robertson that the retention of the law of prize is plainly indefensible and clearly contrary to the selfish interest of England, we are nevertheless indebted to them for a forceful presentation of the considerations in favor of the traditional position of the United States of America.

A. R. G.

**NEUTRALIZATION.** By Cyrus French Wicker. London: Oxford University Press. 1911. pp. viii, 91.

This small volume is divided into four parts: I. Analysis of permanent neutrality; II. Treaties of neutralization; III. Effects of neutralization; IV. The United States and neutralization. A bibliography is appended. The book is readable and interesting. For present purposes the most important passages are those in which it is pointed out that neutralization is not inconsistent with fortification and defense, that the United States can fortify the Panama Canal, and that the neutralization of the Panama Canal is a matter to which as yet only a small part of the world has assented (pp. 2, 43-47, 54, 57, 80). There is also a suggestive discussion of a possible neutralization of the Philippines (pp. 83-88). One small slip has been discovered — a misstatement of the position taken by Austria when Bismarck threatened a breach of the neutrality of Luxembourg (p. 8), but at a later place (p. 62) it is properly said that Austria joined Great Britain in protest,<sup>1</sup> and at any rate a small slip as to history does not essentially detract from the value of the book as a clear and rational discussion of a timely topic.

**PRINCIPLES OF THE CONSTITUTIONAL LAW OF THE UNITED STATES.** By Westel W. Willoughby. New York: Baker, Voorhis and Company. 1912. pp. l, 576.

This is an abridgment of the author's two-volume treatise, entitled *The Constitutional Law of the United States*, which was reviewed in the *HARVARD LAW REVIEW*, vol. 24, p. 587. The abridgment has been made so skilfully that it is, like the original work, interesting and well-proportioned. There

<sup>1</sup> Wheaton's *International Law*, Atlay's ed., § 422 a.

is adequate citation of authorities. The abridgment is, indeed, such a useful book that even a reader of the larger work would do well to read this one also, either by way of introduction or by way of review.

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**THE LAWS OF ENGLAND.** By the Right Honorable the Earl of Halsbury and other lawyers. London: Butterworth and Company. Rochester, N. Y.: Lawyers' Coöperative Publishing Company.

Vol. XVIII. Intoxicating Liquors to Libel and Slander. 1911. pp. ccxix, 746, 63.

Vol. XIX. Lien to Malicious Prosecution. 1911. pp. ccviii, 702, 59.

Supplement to Vols. I to XVII. 1911. pp. lvii, 353.

Vol. XVIII contains articles on Intoxicating Liquors (including licensing, offenses, and reformatories: 172 pages); Judgments (47 pages); Juries (47 pages); Land improvement (30 pages); Land tax (23 pages); Landlord and Tenant (270 pages); Libel and Slander (144 pages).

Vol. XIX contains articles on Lien (32 pages); Limitation of Actions (160 pages); Literary and Scientific Institutions (20 pages); Loan Societies (10 pages); Local Government (160 pages); Lunatics (142 pages); Magistrates (130 pages); Malicious Prosecution and Procedure (31 pages).

The Supplement brings the citation of statutes and cases in the articles contained in the first seventeen volumes down to October 12, 1911.

A glance at the contents of these volumes will show their importance and value. While some of the articles are of merely British interest, others, like the valuable articles on Judgments, Landlord and Tenant, Libel and Slander, Limitation of Actions, and Malicious Prosecution, are for the benefit of the American as well as of the English lawyer. These, like all the articles, have been put into the hands of competent authors, and are well done. These two volumes contain also articles of great interest to the student of government, economics, and sociology. Such are, for instance, the articles on Intoxicating Liquors, Land Tax, Local Government, Lunatics, and Magistrates. The article on Local Government, for instance, gives a clear idea of the condition of local government throughout England; and has this advantage over ordinary books on local government, that it cites statute or case for each statement.

As the work progresses it becomes possible to state with increasing emphasis the success of the projectors in maintaining the high quality of the articles.

J. H. B.

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**THE ORIGIN OF THE ENGLISH CONSTITUTION.** By George Burton Adams. New Haven: Yale University Press. London: Henry Frowde. Oxford University Press. 1912. pp. xii, 378.

**HANDBOOK ON THE LAW OF JUDICIAL PRECEDENTS.** By Henry Campbell Black. St. Paul: West Publishing Company. 1912. pp. xv, 768.

**AN ANALYSIS OF SNELL'S PRINCIPLES OF EQUITY.** By E. E. Blythe. London: Stevens and Haynes. 1912. pp. xx, 248.

**COMPARATIVE LEGAL PHILOSOPHY APPLIED TO LEGAL INSTITUTIONS.** By Luigi Miraglia. Translated by John Lisle. With an introduction by Albert Kocourek. Boston: The Boston Book Company. 1912. pp. xl, 793.

**CRIMINAL RESPONSIBILITY AND SOCIAL CONSTRAINT.** By Ray Madding McConnell. New York: Charles Scribners' Sons. 1912. pp. vi, 339.